



H. Gregory Baker
Partner

1251 Avenue of the Americas
New York, New York 10020

T: 212-419-5877
F: 212.262.7402
E: hbaker@lowenstein.com

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VIA ECF AND E-MAIL

The Honorable Loretta A. Preska
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *U.S. Securities and Exchange Commission v. Feingold et al.*, 20-cv-1881 (LAP)

Dear Judge Preska:

Relief Defendant Adamas Health Care Fund (the “Fund”) respectfully requests a modification to the stipulated order issued by this Court on August 24, 2020 (Dkt. 41) (the “August 24th Order”), to which Plaintiff Securities and Exchange Commission does not object, and thus I submit herewith a proposed stipulated Order for the Court’s consideration. The August 24th Order not only required the continued freeze of \$8.5 million held in the Fund’s account at Interactive Brokers, but also prohibited the Fund from disbursing any other Fund assets to or for the benefit of Defendants Malnik and Feingold. The proposed Order would modify the August 24th Order for the limited purpose of permitting the Fund to transfer \$1.125 million from its account at CIBC (in the Cayman Islands) directly to counsel for Defendant Malnik in settlement of a litigation dispute in the Cayman Islands, concerning whether Malnik is entitled to indemnification from the Fund for legal fees incurred in defending this proceeding and related matters. The settlement will allow the Fund to move forward with its orderly wind down and distribution of fund assets to shareholders other than Defendants Malnik and Feingold. The August 24th Order would otherwise remain in full effect.

The proposed Order is being filed herewith, and a courtesy copy will be forwarded electronically to the Court. Thank you in advance for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H. Gregory Baker', written in a cursive style.

H. Gregory Baker
*Counsel for Relief Defendant Adamas Health
Care Fund*

Cc: Michael Foster, Esq. (counsel to the Securities and Exchange Commission) (Via ECF)
Rua Kelly, Esq. (counsel to the Securities and Exchange Commission) (Via ECF)